

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION
CASE NO. 2004-00001

RECEIVED
MAR 15 2004

IN RE: The matter of

RUDOLPH'S, INC.,

VS.

BELLSOUTH TELECOMMUNICATIONS, INC.,

PUBLIC SERVICE
COMMISSION

COMPLAINANT,

DEFENDANT.

MOTION TO WITHDRAW COMPLAINT

Comes the Complainant, Rudolph's, Inc., by counsel, and moves the Commission for leave to withdraw its complaint herein without prejudice. In support hereof, Movant states that BellSouth is in the process of upgrading the subject telephone line. Movant is advised by BellSouth that the upgrade should resolve the problems previously encountered by Movant and would thus render this matter moot.

Wherefore, Complainant prays that its complaint be withdrawn, without prejudice, and with the right to re-file the complaint should the system upgrade not resolve Complainant's problems.

RESPECTFULLY SUBMITTED,

PRINCE & BRIEN, P.S.C.



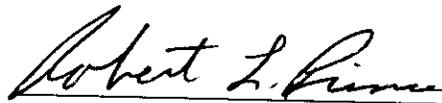
Robert L. Prince
P. O. Box 466
Benton, KY 42025-0466
(270) 527-8612
Attorney for Complainant, Rudolph's, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed this 11th day of March, 2004, to the following:

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Cheryl R. Winn
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Counsel for Defendant, BellSouth

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Counsel for Defendant, BellSouth


Robert L. Prince

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ORDER WITHDRAWING COMPLAINT

This matter having come before the court on motion of the Complainant, and the Commission being otherwise sufficiently advised, DOTH HEREBY ORDER that the Complaint of Rudolph's, Inc. against BellSouth Telecommunications, Inc. be and is hereby WITHDRAWN without prejudice.

SO ORDERED this date: _____.

FOR THE COMMISSION

ATTEST:

Executive Director

cc: Counsel of record